

**THE NOTES BELOW REPRESENT NOTES  
AFTER THE SECOND CHECK HAS BEEN  
COMPLETED. NO FURTHER  
DOCUMENTS WILL BE REVIEWED PRIOR  
TO HEARING.**

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The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH **PROBATE**

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600037

CASE NAME: CERVANTES FAMILY TRUST

HEARING:

Hearing Re: Confirmation of Settlement

COUNSEL:

KATHLEEN C HELGEDALEN CAMPBELL(PET)...HARTNELL, LISTER & MOORE  
WILLIAM CERVANTES (TEE)...MOSES S. HALL  
ARTHUR CERVANTES (BORDEN LAW OFFICE )...BORDEN LA

GENERAL INFORMATION

Continued from 4-7-08 for filing of settlement. Nothing new filed.

**Continued from 07/07/08 at request of counsel to file settlement agreement.**

**Nothing new filed with exception of notice of continuance.**

**Continued from 8/5/08 and 9/24/08. Attorney Soady informs the court that clients will be signing a settlement.**

THIS CASE IS SET FOR HEARING ON Confirmation of Settlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set at the time set for hearing re Status Hearing on 2/4/08 as parties indicate that a settlement has been reached in this case. Matter was ordered continued to file Settlement.
2. Motion to transfer and consolidate granted since continuance (LA civic case transferred and consolidated into this court's case).

RECOMMENDATION:

Court's discretion.

KRA/NMT/cbr/abs/gls

FUTURE HEARING DATES:

6/17/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0600137

CASE NAME: ESTATE OF CLAYTON SIMEON BANKS

HEARING:  
Hearing re Final Discharge

COUNSEL:  
DEBORAH MARIE ARELLANO (PET)...DAVID W BROWN  
CLAYTON SIMEON BANKS (DEC)...

GENERAL INFORMATION:  
Order for Final Distribution granted 11/7/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipt is filed.
2. Need to submit final discharge declaration and order. Note: Final discharge declaration should comply with Pr.C. §11753 (recording information of the Order transferring the real property).

RECOMMENDATION:  
Find out status.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700307

CASE NAME: ROY G. EDWARDS

HEARING:  
Accounting Review

COUNSEL:  
JANICE FOWLER (PET)...HOWARD L DODSON  
ROY G EDWARDS (DEC)...

GENERAL INFORMATION

**Continued from 9/24/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 7/18/08, no bond.
2. Need accounting or probate status report.

RECOMMENDATION

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700359

CASE NAME: RUDOLPH RUBEN MARTINEZ

HEARING:  
Accounting Review

COUNSEL:  
ANTHONY MARTINEZ (PET)...SUZANNE M GRAVES  
RUDOLPH RUBEN MARTINEZ (DEC)...

GENERAL INFORMATION

**Continued from 9/17/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted 11/14/07, no bond.
2. No accounting or status report has been filed. Need same.

RECOMMENDATION

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700447

CASE NAME: PEGGY HOROWITZ DONATELLI

HEARING:  
Petition for DETERMINATION OF ENTITLEMENT TO DISTRIBUTION

COUNSEL:  
GEORGIANNE BONE (PET)...D. HERSHEL W ILSON  
PEGGY HOROWITZ DONATELLI (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Entitlement to Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the decedent's Will includes ambiguous language as to the distribution of \$60,000 to Loma Linda University Rheum logy Dept. (see tab in file). Petitioner requests that the Court find that the Will provides that \$60,000 should be distributed to Loma Linda University and the balance to petitioner outright. However, the sentence structure of the petition is such that it is difficult to determine what is actually being said. Best guess is as follows: The will indicates that executor was to sell the house of the decedent and the money was to go into the estate. The executor was to be paid \$1,000 for her efforts. The house was in fact sold prior to the death of the decedent. The will states that petitioner is to "apportion" appliances in house and clothing as she sees fit. The PERS account was changed to name petitioner as the beneficiary. The petitioner is directed by the will to pay all bills from the checking account and place the remainder of the assets into the estate. Then there is a somewhat ambiguous portion of the will wherein the decedent directed that her estate be "apportioned" with \$60,000 going to "Loma Linda University Rheum logy Department" and the balance to be paid at \$2,000 a year until the estate is used up. It should be noted that the distributions are numbered 1 and 2. The petitioner requests that the

court find that the will gives \$60,000 to Loma Linda and the remainder to her. This outcome is not clearly set forth in the will. Another equally likely interpretation is that petitioner is to distribute \$60,000 to Loma Linda immediately and \$2,000 to Loma Linda each year until the estate is used up. The interpretation will require the introduction of extrinsic evidence, none of which is provided in this petition.

2. No opposition is filed at the time of the review of this file.
3. Note: Petitioner originally filed a Petition for Instruction from by the court by personal representative which hearing was continued to 12/1/08.

**RECOMMENDATION:**

Set for Evidentiary hearing.

(NMT/gls)

**FUTURE HEARING DATES:**

12/01/08 Accounting Review

12/01/08 Petition for INSTRUCTION FROM THE COURT BY PERSONAL REPRESENTATIVE

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700567

CASE NAME: KIRK L NIELSEN

HEARING:

current Account and Report of KRISTIE NIELSON and Petition for allowance of fees filed.

COUNSEL:

KRISTIE NIELSON	(PET)...	LAW OFFICES OF RIPLEY & ASSOCI
KIRK L NIELSON	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Current Report and Final Accounting and Petition for Final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory fees.
2. Petitioner requests reimbursement of costs advanced of \$795.00. Itemized.  
JTD
3. Attorney requests statutory fees of \$7,100.00. ok.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 11/18/09 (gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700729

CASE NAME: CONSTANCE J NIEMIETZ

***VACATED- FINAL I&A FILED.***

***SEE ALSO 8 & 9***

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
JUNE BOWMAN (PET)...DENNIS M SANDOVAL  
CONSTANCE J NIEMIETZ (DEC)...

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700729

CASE NAME: CONSTANCE J NIEMIETZ

**SEE ALSO 7 & 9**

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner JUNE  
BOWMAN

COUNSEL:

JUNE BOWMAN (PET)...DENNIS M SANDOVAL  
CONSTANCE J NIEMIETZ (DEC)...

GENERAL INFORMATION

**Continued from 8/13/08**

THIS CASE IS SET FOR HEARING ON

Motion to be relieved as counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued on 1/15/08, \$100,000 bond.
2. Representative's counsel states that client ignores directions and recommendations leading to non-compliance with court requirements and that client's brother handles communications but is verbally abusive.
3. Need notice of hearing and proof of service including service upon personal representative and bonding company. Pr.C. 1213(a)(4).

RECOMMENDATION

Need notice then court's discretion.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700729

CASE NAME: CONSTANCE J NIEMIETZ

**SEE ALSO 7 & 8**

HEARING:  
Accounting Review

COUNSEL:  
JUNE BOWMAN (PET)...DENNIS M SANDOVAL  
CONSTANCE J NIEMIETZ (DEC)...

GENERAL INFORMATION:  
Letters of Administration issued 1/15/08

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed. However, Court ordered preliminary distribution on 10/8/08.

RECOMMENDATION:  
Find out status.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700737

CASE NAME: ROBERT OTERO JR

HEARING:

Order to Show Cause re: Failure to Appear/File an I & A filed by  
MIKE OTERO.

COUNSEL:

MIKE OTERO (PET)...PRO/PER  
ROBERT OTERO JR (DEC)...

GENERAL INFORMATION

**Continued from 8/20/08 and 10/1/08. No appearance at last hearing and court set this OSC**

THIS CASE IS SET FOR HEARING ON Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 2/6/08, no bond.
2. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

Abs/abs/gls

FUTURE HEARING DATES:

4/15/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700755

CASE NAME: WILLIAM HUGH CARBIN

***VACATED- FINAL I&A FILED.***

***SEE ALSO 12***

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
GEORGE A CARBIN (PET)...MICHAEL R YOUNG  
WILLIAM HUGH CARBIN (DEC)...

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0700755

CASE NAME: WILLIAM HUGH CARBIN

**SEE ALSO 11**

HEARING:  
Accounting Review

COUNSEL:  
GEORGE A CARBIN (PET)...MICHAEL R YOUNG  
WILLIAM HUGH CARBIN (DEC)...

GENERAL INFORMATION:  
Letters of Administration CTA issued 10/23/07 (full authority, \$305,000 bond)

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:  
Find out status.  
(gls)

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Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08      TIME: 9:00      DEPT: E1  
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CASE #: PROPS0700879

CASE NAME: SHAWN CHRISTOPHER SNOKE

HEARING:

Probate status report filed.

COUNSEL:

GLENN SNOKE                      (PET)...ANNE  
SHAWN CHRISTOPHER SNOKE      (DEC)...

GENERAL INFORMATION This is not a status report. This is a first and final.

**Continued from 10/7/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON first and final report on waiver of accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that all heirs have waived accounting. However, need waiver of accounting from Christy Snoke.
2. Need statement that notice was given to California Victim Compensation and Government Claims Board or was not needed. File verified supplement.
3. Attorney is being paid on an hourly basis and fees will not exceed statutory fees. As there are no liquid assets fees will be paid by the heirs.
4. Petitioner is not requesting statutory compensation.
5. Please list the actual property being distributed including both legal and common description. File verified supplement. This information must also be included in the proposed order. Counsel may wish to
6. File notice of hearing and proof of service.

RECOMMENDATION:

Need to correct notes. If petition granted court will have to set future dates. Set hearing for filing of receipts and discharge for 11/18/09.

Court needs to vacate hearing dates of 12-31-08 hearing date for filing of inventory and appraisal and status report.

NMT/gls

FUTURE HEARING DATES: 12/31/08 Accounting Review & inventory and appraisal

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800037

CASE NAME: TIMOTHY PETER DEIRO

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

MELISSA OBBEMA (PET)...JAMES BRUCE MINTON  
TIMOTHY PETER DEIRO (DEC)...

GENERAL INFORMATION:

Letters of Administration issued 6/5/08 (limited authority and \$75,000 bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory is filed.

RECOMMENDATION:

Find out status.

(gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800143

CASE NAME: JOHN R. BECKER

***VACATED- FINAL I&A FILED.***

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
JOHN R.D. BECKER (PET)...CALDWELL, KENNEDY & PORTER, A.  
JOHN R. BECKER (DEC)...

FUTURE HEARING DATES:  
6/17/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800863

CASE NAME: WALTER COTTON LIVING TRUST

HEARING:

Petition for TO COMPEL DISTRIBUTION,SUSPENSION AND REMOVAL OF  
SUCCESSOR TRUSTEE;BOND,DOUBLE DAMAGES ETC

COUNSEL:

JOHN WILBURN (PET)...JAY OBERHOLTZER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Compel Distribution, Suspension and  
Removal of Successor Trustee, Imposition of Bond, Double Damages and Attorney's Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, John Wilburn, is a specific devisee of the Walter Cotton Living Trust dated 10/25/07. The original settlor died on 10/27/07 and Trudy Doser is the acting successor trustee of the trust. Petitioner alleges that the successor trustee sold the settlor's residence on or about 7/22/08 for \$275,000 (less encumbrance of approx. \$145,000, the trust should have netted approx. \$135,000). Petitioner further alleges that originally the successor trustee informed petitioner that a distribution would be made to him, however, petitioner alleges that the successor trustee has refused to take his telephone calls since approximately 4/2007. Petitioner has sent a written demand per Pr.C. §10661.5. Subsequently, the successor trustee telephoned petitioner's counsel and stated that the petitioner was not a beneficiary of the Trust. However, at paragraph VI B2, at pages 2-9, petitioner is a specific beneficiary of \$100,000. When the successor trustee was informed of this fact, the successor trustee said there were no funds with which to pay such distribution. Furthermore, petitioner alleges the successor trustee states the settlor's residence had passed outside of the trust to a named co-owner, but petitioner alleges there is no named co-owner. Petitioner believes that the successor trustee is specifically

withholding petitioner's entitlement to such distribution. Petitioner requests that the court find that the successor trustee acted in bad faith and assess double damages per Pr.C. §859. Finally, petitioner requests that the court immediately impose Trudy Doser to post a bond in the sum of \$150,000 (the trust waives the bond).

2. Trudy Doser was personally cited and served on 9/30/08.
3. No responsive pleadings have been filed at the time of the review of this file.

**RECOMMENDATION:**

Determine whether responsive pleadings will be filed and then set for Evidentiary hearing.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800873

CASE NAME: MTR OF FRED RICHARD MILLER JR

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

KELLY HAMES (PET)...JANET M HERRING  
FRED RICHARD MILLER JR (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters  
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$20,000. However, as petitioner seeks full authority under IAEA and estimated value of estate is \$265,000, Court may wish to fix bond at \$265,000. JTD
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2 & 3 and then court's discretion. If approved, set hearing on the filing of an inventory and appraisal for 6/24/09. Set hearing on accounting review for 1/20/10. Accounting to be filed 30 days in advance.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800885

CASE NAME: LOUIS J. ARAIZA TRUST

HEARING:

Petition for FOR REMOVAL OF TRUSTEE, COMPEL PRODUCTION OF TRUST  
INSTRUMENT, REMEDY BREACH OF TRUST

COUNSEL:

ROXANNE ARAIZA (PET)...LYNN E ZUMBRUNN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Removal of Trustee, Compel  
Production of Trust Instrument, Remedy Breach of Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is a beneficiary of the Louis J. Araiza Trust established 5/17/94, and one of three children of the original settlor. Petitioner believes that the successor trustee of the Trust is William Araiza. The original settlor died on 7/2/208 and prior to settlor's death the real property at 16088 Sultana Street, Hesperia was transferred into the trust. Petitioner contends that William Araiza was living in the trust property and will not pay rent or make it productive. Furthermore, William Araiza has taken all of the Trust assets and appropriated them for himself in violation of his duties as successor trustee. Petitioner also alleges that following settlor's death, a request for a copy of the Trust was made, however, petitioner claims the successor trustee has refused to provide a copy of the trust. Petitioner requests an order compelling the successor trustee to provide a copy of the Trust instrument and provide information concerning trust assets. Petitioner also requests that the successor trustee be removed for his hostility to the beneficiaries and for his self-dealing and breaches of Trust.
2. Notice of hearing and proof of service is filed, however, item 5 of the proof of service is not checked indicating that a copy of the petition was served to the

parties. Question whether a copy of the petition was served? File verified supplement or corrected proof of service.

3. No responsive pleadings are filed at the time of the review of this file.

**RECOMMENDATION:**

Need to clear note 2 and then set for Evidentiary hearing.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800899

CASE NAME: SANDRA E. DOBBINS

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
THOMAS A. DOBBINS (PET)...LUNDBERG & BAXTER LLP  
SANDRA E. DOBBINS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests determination and confirmation of property passing to the surviving spouse as community property pursuant to the terms of decedent's Will.
2. No objections are filed at the time of the review of this file.

RECOMMENDATION:  
Court's discretion.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: PROPS0800907

CASE NAME: MTR OF GLORIA T FRIAS

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

ANTHONY T FRIAS	(PET)...	LEAH L DIXON
GLORIA T FRIAS	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$150,000. Appears adequate. JTD

RECOMMENDATION:

Recommend for approval absent objections and \$150,000 bond. If approved, set hearing  
on the filing of an inventory and appraisal for 6/24/09. Set hearing on accounting review  
for 1/20/10. Accounting to be filed 30 days in advance.  
(gls/cbr)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS04287

CASE NAME: EST OF ANNEMARIE SHORT

HEARING:

Petition for FOR ORDER TO TRANSFER PROPERTY CLAIMED TO BELONG TO  
DECEDENT

COUNSEL:

MARY E QUANSTROM (PET)...PRO/PER  
ANNEMARIE SHORT (DEC)...  
SEAN SHORT (PET)...PRO/PER  
KELLY SHORT (EDWARD B FISCHEL )...EDWARD B

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Order to Transfer Property Claimed to  
belong to decedent

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Sean Short, brings this petition to claim \$35,000 representing the proceeds from the sale of the business known as "Flowers by Annemarie" that were paid to Aliza Ambriz, Linda Ambriz and Donato Ambriz pursuant to Pr.C. §850.
2. This petition does not set forth the facts or support the claim to request the proceeds as required per Pr.C. §850(b). File verified supplement.
3. The petition is not verified as required per Pr.C. §1021. Need verification.
4. Need to file notice of hearing and proof of personal service upon Aliza Ambriz, Linda Ambriz and Donato Ambriz per Pr.C. §851.

RECOMMENDATION:

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS04481

CASE NAME: MTTR OF THE HEIN & FRENCH REVOCABLE TRUST

HEARING:  
Accounting Review

COUNSEL:  
RUTH L HENRICKS (TEE)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:  
Seventh account due for the period: 9/11/07 – 9/10/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:  
1. No accounting is filed.

RECOMMENDATION:  
Find out status.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

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DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: SPRSS04571

CASE NAME: EST OF NASH E COLLINS

***VACATED- ACCOUNTING FILED AND IS SET ON 12/01/08.***

HEARING:  
Accounting Review

COUNSEL:  
DARLENE B COLLINS (PET)...  
NASH E COLLINS (DEC)...  
NASH E COLLINS JR (PET)...  
ANNETTE G DEBELLEFEUILLE (SPA)...ANNETTE G DE BELLEFEUILLE  
RUTH HENRICKS (SA )...HARTNELL LISTER & MOORE  
WELLS FARGO CARD SERVICES (TP )...

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
-----

CASE #: SPRSS05762

CASE NAME: ESTATE OF ANNIE MAE JOHNSON

HEARING:

Hearing Re: Status/Compliance Review of Settlement

COUNSEL:

MARY ANN SMITH (PET)...AMAKA ADA AKUDINOBI  
ANNIE MAE JOHNSON (DEC)...  
ALEX R BORDEN (SA )...JAMES L LEESTMA  
ANNIE MAE JOHNSON (DEC)...  
ALEX R BORDEN (PET)...JAMES L LEESTMA  
ADVANCE INHERITANCE LLC (TP )...JAMES L LEESTMA  
SURETY BONDING COMPANY OF AMER(LEWIS BRISBOIS BISGAARD &  
SMIT)...LEWIS BRI  
VON WALLACE ROBINSON ( )...  
WESTERN SURETY COMPANY (STEVEN R LEWIS )...STEVEN R

No notes - Status

FUTURE HEARING DATES:

9/21/09 Hearing re Final Discharge

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
-----

CASE #: VPRVS002553

CASE NAME: ESTATE OF JOSEPH CRINEL JACKSON

**SEE ALSO 26**

HEARING:

Order to Show Cause re: BOND PREMIUM filed by RUBY COUISIN.

COUNSEL:

RUBY COUISIN (PET)...PRO/PER  
JOSEPH CRINEL JACKSON (DEC)...  
BOND SERVICES OF CALIFORNIA (TP )...PRO/PER

GENERAL INFORMATION:

**Continued from 10/1/08. No appearance and Court issued Citation.**

THIS CASE IS SET FOR HEARING ON OSC re payment of Bond Premium

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 1/28/05, \$165,000 bond.
2. Notice of non-payment of bond premium was filed 2/15/08.
3. The bond company has filed a Waiver indicating the bond premium has now been paid in full (see yellow tab).
4. Need return of Citation.

RECOMMENDATION:

Court's discretion.

(gls)

Superior Court of Calif, County of San Bernardino  
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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: VPRVS002553

CASE NAME: ESTATE OF JOSEPH CRINEL JACKSON

**SEE ALSO 25**

HEARING:  
Accounting Review

COUNSEL:  
RUBY COUISIN (PET)...PRO/PER  
JOSEPH CRINEL JACKSON (DEC)...  
BOND SERVICES OF CALIFORNIA (TP )...PRO/PER

GENERAL INFORMATION

**Continued from 3/26/08. Court accepts counsel's declaration in lieu of accounting. Matter is set for final accounting and petition for final distribution.**

**Continued from 7/2/08. No appearance. Clerk mailed notice.**

**Continued from 8/20/08. Representative stated she would obtain counsel and file accounting. Nothing new filed.**

**Last continued from 10/1/08. No appearance.**

THIS CASE IS SET FOR HEARING ON Accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 1/28/05, \$165,000 bond.
2. Status report was approved 7/7/06, stated that the sole estate asset (real property) was lost to foreclosure, and that administrator had retained counsel to recover decedent's half interest in the property.
3. Counsel was relieved by the Court on 3/26/08

RECOMMENDATION

Court's discretion.

Gls/abs/abs/gls

Superior Court of Calif, County of San Bernardino

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Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08

TIME: 9:00

DEPT: E1  
-----

CASE #: VPRVS002965

CASE NAME: ESTATE OF JAMES T GONZALES

**SEE ALSO 28**

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JOSEPHINE A GONZALES (PET)...JOSEPH RUSSO

JAMES T GONZALES (DEC)...

GENERAL INFORMATION

Continued from 12/13/06, 1/17/07, 2/21/07 and 6/13/07 at request of counsel.

Continued from 9/5/07 at request of court. No appearance. Court set OSC re sanctions.

Continued from 10/31/07 at request of counsel – I&A with probate referee.

Continued from 12/05/07. No appearance. Clerk mailed notice. Nothing new filed.

Continued from 1/30/08 at request of counsel.

**Continued from 4/2/08 and 9/17/08 at request of counsel. On 4/2/08, Counsel stated that bank statements are not available because date of death was 14 years ago. Court instructed counsel to file a declaration stating same. Also, items 1-3 are to be appraised by the probate referee. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters of Administration issued 6/16/06, no bond required.
2. The final inventory and appraisal was filed on 8/9/07. However, items 1, 2 and 3 are items that are required to be appraised by the Probate Referee (Pr.C. §8902). In addition, need to file copies of bank statements to support date of death balance (Local Rule 20-908).

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

Abs/abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: VPRVS002965

CASE NAME: ESTATE OF JAMES T GONZALES

**SEE ALSO 27**

HEARING:  
Accounting Review

COUNSEL:  
JOSEPHINE A GONZALES (PET)...JOSEPH RUSSO  
JAMES T GONZALES (DEC)...

GENERAL INFORMATION

Continued from 12/13/06, 1/17/07, 2/21/07 and 6/13/07 at request of counsel.  
Continued from 9/5/07 at request of court. No appearance. Court set OSC re sanctions.  
Continued from 10/31/07 at request of counsel – I&A with probate referee.  
**Continued from 12/05/07. No appearance. Clerk mailed notice. Nothing new filed.**  
**Continued from 2/13/08. No appearance. Clerk mailed notice.**  
**Last continued from 9/17/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters of Administration issued 6/16/06, no bond required.
2. No accounting or status report is filed. Court may wish to require petitioner to minimally file a status report per Pr.C. §12200. JTD

RECOMMENDATION:

Find out status.  
(abs/gls)



Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
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CASE #: VPRVS01905

CASE NAME: ESTATE OF MARSHALL VAN BUREN WILLIAMS

HEARING:

Hearing Re: PETN FOR SETTLMT OF FIRST & FINAL ACCT ETC

COUNSEL:

LISA Y WILLIAMS (PET)...PRO/PER  
MARSHALL VAN BUREN WILLIAMS (DEC)...  
DAVID BROWN (SPA)...DAVID W BROWN  
MARSHALL WILLIAMS (TP )...JANET M HERRING

GENERAL INFORMATION

Continued from 2-3-06, 5-5-06, 7/7/06, 10/13/06, & 12/13/06.

Continued from 4/25/07. The court is unable to approve the accounting as questions are unanswered. Attorney Brown indicates that his client has not provided sufficient information. Court issues citation for Lisa Williams to appear in person on 7/11/07.

Continued from **7/11/07**. Court reinstates powers and Letters are to be reissued.

Continued from **10/3/07**. Court appointed David Brown as special administrator to attempt to recover property and complete estate administration. Atty Brown to file order after hearing. Court also set status hearing on continued date. Clerk mailed notice.

**Continued from 12-12-07 at request of appointed counsel to attempt to recover property and complete probate.**

**Continued from 5/28/08 and 8/6/08 at request of Atty Brown. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON first and final report and account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. During the course of the administration the real property was lost to foreclosure and the 2003 Nissan Maxima was repossessed. Petitioner alleges that the Maxima was returned to the lender, as the estate could not afford to keep up the payments. A review of the accounting establishes that most of the liquid assets were used to attempt to bring the mortgage on the real property current prior to the foreclosure. What efforts were made to liquidate these items prior to their loss? Supplement filed and petitioner alleges the mortgage was being paid by family members who also resided in the property. However, petitioner alleges that the residents ceased

making the payments unbeknownst to petitioner and there was not enough time to sell the property.

2. If no efforts were made, the petitioner could potentially be liable for surcharge. There is no request for surcharge in the file at this time.
3. Petitioner alleges that statutory fees are \$553.45. Petitioner has deducted the loss after foreclosure in making this calculation. However, under *Estate of Stein* (1968) 267 Cal. App. 2nd 631 foreclosure on an asset even during the proceeding is not a loss as far as calculation of fees are concerned. Therefore statutory fees are in fact \$5,712.76. It should be noted that the court does have the power to reduce the amount of fees if the court finds all of the following: 1) time taken to file the final exceeds the time required by the code or by the court; 2) time taken was within the control of the administrator; and (3) the delay was not in the best interests of the estate. Pr.C. § 12205. Matter was admitted to probate 1-31-03. The court had to cite the petitioner into court on three occasions to get her to file the final. JTD. Supplement filed and petitioner requests her statutory commission of \$5,712.76.
4. There is no objection in the file at the time of this review.

**RECOMMENDATION:**

If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 11/18/09.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 9:00 DEPT: E1  
-----

CASE #: VPRVS01935

CASE NAME: MTR OF PETERS FAMILY REVOCABLE TRUST

HEARING:  
Hearing re Final Discharge

COUNSEL:  
CONSTANCE L THOMAS (PET)...  
JERLINE PETER (DEC)...  
KATHLEEN P SMITH (OBJ)...GRAHAM M KELLY JR

GENERAL INFORMATION:  
Second and Final account was granted on 11/7/07.

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge are submitted.
2. No proposed Order Approving Second and Final Account has been submitted for signature.

RECOMMENDATION:  
Find out status.  
(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

**CONSERVATORSHIP**

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
-----

CASE #: CONPS0700071

CASE NAME: BARBARA ANN POLAND

**SEE ALSO 31A & 32**

HEARING:

Hearing Re: NOTICE OF MOTION AND MOTION TO RELIEVED AS COUNSEL

COUNSEL:

GLEN A POLAND (CPE)...CALDWELL, KENNEDY & PORTER  
BARBARA ANN POLAND (CEP)...SANDRA L TURNER  
MARCIA SMITH (OBJ)...JEFF GROTKÉ

GENERAL INFORMATION:

**Continued from 5/7/08 and 7/2/08. Court requests counsel to remain engaged to protect conservatee's interest as to the estate here in California pending conservatorship case in Virginia.**

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Attorney Sandra Turner, requests to be relieved as counsel as client/conservatee has moved out of state.

RECOMMENDATION:

Court's discretion.

(gls/abs/gls)

FUTURE HEARING DATES:

12/03/08 Accounting Review

Superior Court of Calif, County of San Bernardino

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Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08

TIME: 10:30

DEPT: E1  
-----

CASE #: CONPS0700071

CASE NAME: BARBARA ANN POLAND

**SEE ALSO 31 & 32**

HEARING:

Hearing Re: Conservatorship compliance review

COUNSEL:

GLEN A POLAND

(CPE)...CALDWELL, KENNEDY & PORTER

BARBARA ANN POLAND

(CEP)...SANDRA L TURNER

MARCIA SMITH

(OBJ)...JEFF GROTKER

GENERAL INFORMATION:

Letters of Conservatorship (person and estate) issued 10/31/07

Continued from 03/26/08. At the 03/26 hearing, Sandra Turner gave an oral report.

Conservators have moved to Alabama. Conservators are to file a petition for

Conservatorship in that state. (*Note: It now appears that conservatee is in Virginia.*)

Attorney Sandra Turner was to notice Jeanne Kennedy that Court needs both orders from 02/27/08 hearing as they have not been filed with the Court. However, the minute order is unclear as to which orders need to be produced.

**Continued from 6/4/08 and 7/2/08. Atty Turner is to contact counsel Robert Kalyel in Virginia advising him of court's request in need of a care plan and status of Virginia conservatorship case. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Need to file proof of service of conservatee's rights per Pr.C. §1830(c).
- 2 Need to file care plan per Pr.C. §2352.5.
- 3 Need to file proof of recording Letters of Conservatorship in each county where conservatee owns real property, if applicable. Pr.C. §2313.
- 4 Need to file inventory and appraisal and notice of how to object.
- 5 Pendency of action filed by Sandra Turner.
- 6 Court Investigator report re petition to be relieved as counsel filed on 02/22/08.

RECOMMENDATION: Need to clear notes.

(gls/cbr/abs)

FUTURE HEARING DATES: 12/03/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
-----

CASE #: CONPS0700071

CASE NAME: BARBARA ANN POLAND

**SEE ALSO 31 & 31A**

HEARING:  
Petition for FOR ALLOWANCE OF ATTORNEY'S FEES

COUNSEL:  
GLEN A POLAND (CPE)...CALDWELL, KENNEDY & PORTER  
BARBARA ANN POLAND (CEP)...SANDRA L TURNER  
MARCIA SMITH (OBJ)...JEFF GROTKÉ

GENERAL INFORMATION  
**Continued from 5/7/08 and 7/2/08 for proper notice.**

THIS CASE IS SET FOR HEARING ON  
Petition for fees by appointed counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Counsel appointed for conservatee seeks \$2,893.75 fees. Itemized, based upon 13.25 hrs at \$150-\$275/hr.
2. No objections filed at the time of the review of the file.

RECOMMENDATION  
Court's discretion.

/abs/gls

FUTURE HEARING DATES:  
12/03/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
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CASE #: SC SS02683

CASE NAME: MTR RE XAVA M ALSIP

HEARING:

Motion Re: MOTION TO BE RELIEVED AS COUNSEL Filed by Petitioner  
LUANN SMITH

COUNSEL:

LUANN SMITH (CPE)...JACK B OSBORN  
XAVA M ALSIP (CEP)...DONNA STURGILL DIAZ  
RECHE CANYON CONVALESCENT CENT(TP )...MCCANN & CARROLL

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney Osborn requests to be relieved as counsel as there has been a breakdown in communication.
2. Related Case: SCVSS132338.

RECOMMENDATION:

Court's discretion.  
(gls)

FUTURE HEARING DATES:

12/15/08 Accounting Review

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
-----

CASE #: VC VS00445

CASE NAME: MATTER OF PEARL WRIGHT

**SEE ALSO 34A & 35**

HEARING:

Hearing Re: Accounting by Brenda Wright

COUNSEL:

BRENDA WRIGHT	(CPE)...	DAVID & TURNER
PEARL WRIGHT	(CEP)...	
RANDY WRIGHT	(OBJ)...	NAREN M HUNTER
DEBORAH WRIGHT THOMAS	(PRO/PER	)...PRO/PER

GENERAL INFORMATION:

Brenda Wright's first accounting was approved 6/20/07. Court ordered Attorney Sandra Turner to prepare order

**Continued from 6/18/08 at request of counsel.**

**Continued from 8/20/08 and 10/1/08. Counsel stated there is no contact with client.**

THIS CASE IS SET FOR HEARING ON Accounting by Brenda Wright

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No proposed Order Settling First Account of Brenda Wright is submitted.  
Need same.
2. Court may also wish to set future accounting review date of 2/18/09 for an accounting from Brenda Wright for the period covering 1/16/07 – 1/15/09.

RECOMMENDATION:

Find out status of proposed Order. Set next accounting review for Brenda Wright for 2/18/09.

gls/abs/abs



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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
-----

CASE #: VC VS00445  
CASE NAME: MATTER OF PEARL WRIGHT  
**SEE ALSO 34 & 35**

HEARING:  
Hearing Re: Randy Wright's Accounting

COUNSEL:  
BRENDA WRIGHT (CPE)...DAVID & TURNER  
PEARL WRIGHT (CEP)...  
RANDY WRIGHT (OBJ)...NAREN M HUNTER  
DEBORAH WRIGHT THOMAS (PRO/PER )...PRO/PER

GENERAL INFORMATION: continued from 6/20/07 and 8/22/07 at request of counsel.  
On 6/20/07, the Court sets aside 12/13/06 order approving Randy Wright's accounting.  
Court ordered Randy Wright and counsel to be present.  
Continued from 11/7/07. No appearance has been made by Randy Wright or his counsel.  
Court orders their personal appearance.  
Continued from 1/16/08 at request of counsel.  
Continued from 3/26/08.  
Continued from 4/9/08. Court ordered atty Naren Hunter to file an accounting on behalf of Randy Wright.  
**Continued from 6/18/08, 8/20/08 and 10/1/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON petition for approval of accounting.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Randy Wright served a Conservator of the person of the Conservatee for a limited amount of time. As conservator of the person no accounting would be required, however, as petitioner used his power of attorney to access conservatee's funds, and petitioner has provided an accounting, does court wish to evaluate accounting? JTD
2. Accounting is not really an accounting. It simply shows the real property, a Credit Union Account with unknown balance and cash on hand at the end of 6-03 of \$6,500. No bank statements accompany this statement. **Supp: Various bank statements filed. Does not cure defects.**
3. Mr. Wright indicates that he, at the request of the Conservatee, removed the Conservatee from her home in Compton. There were siblings of the Mr. Wright living there at the time, as well as the Conservatee. Mr. Wright placed one of the siblings

(Ms. Dotson) in a care facility. Ms. Dotson had an income of \$235 per month and the monthly cost of care was \$830. Conservatee subsidized Ms. Dotson's care costs for several months.

4. From 6-02 to 8-02 Conservatee resided with her daughter Deborah Thomas. Conservatee was receiving \$1,200 per month retirement.
5. Conservatee requested that Mr. Wright fix up the home in Compton so she could return. From 6-02 through 6-03 Mr. Wright alleges that he spent \$1,800 on delinquent property taxes, \$2,000 in cleaning and repairs and made arrangements to pay off \$17,000 in property damages claims against Conservatee.
6. In 8-02 Mr. Wright moved Conservatee in with him and his family. He was receiving \$1,244 in monthly income. Conservatee asked Mr. Wright to handle her finances. She signed her real property over to him, as she couldn't keep it up. Conservatee would go to Vegas 1-2 times per month with her daughter Deborah at the expense of the Conservatee. The trips costs \$400-500 per trip. From 8-02 through 6-03 Mr. Wright paid all of Conservatee's expenses. In 4-03 Deborah got her own apartment and Conservatee directed Mr. Wright to pay the rent of \$895 per month.
7. At the end of April 2003 the Conservatee was placed in a psychiatric facility. Thereafter she was placed in the same facility as Ms. Dotson. She was later placed in a more restrictive facility. In 6-03 it is alleges that Brenda Wright removed Conservatee from the facility. The name on the Conservatee's bank accounts was changed and Mr. Wright's power of attorney was revoked.
8. Petitioner alleges that there never has been an accounting by Brenda Wright of the Credit Account. Petitioner alleges that the auto alleged to have been purchased to accommodate handicap needs at a cost of \$47,000 was in fact a Dodge Charger SRT, "a specialty performance race care (sic)."
9. **Need accounting from counsel ordered 4/9/08.**

RECOMMENDATION:  
Court's discretion.

gls/abs/abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
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CASE #: VC VS00445

CASE NAME: MATTER OF PEARL WRIGHT

**SEE ALSO 34 & 34A**

HEARING:

Motion Re: MOTION TO BE RELIEVED AS COUNSEL Filed by Petitioner  
BRENDA WRIGHT

COUNSEL:

BRENDA WRIGHT	(CPE)...	DAVID & TURNER
PEARL WRIGHT	(CEP)...	
RANDY WRIGHT	(OBJ)...	NAREN M HUNTER
DEBORAH WRIGHT THOMAS	(PRO/PER	)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Motion to be Relieved as Counsel filed by  
Attorney Sandra Turner

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner/Attorney alleges that there has been a breakdown in communication between attorney and client. Furthermore, attorney alleges that the client has not responded to any telephone calls or correspondence sent to the last known address.
2. Note: No proposed Order Settling First Account of Brenda Wright has been submitted. The first accounting was granted on 6/20/07. Court ordered Attorney Turner to prepare order. Court may wish to require Attorney to comply.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 10:30 DEPT: E1  
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CASE #: VC VS00517

CASE NAME: MATTER OF ROSALIE ANN FELIX

HEARING:  
Accounting Review

	COUNSEL:
BARBARA LOPEZ	(PET)...DAVID W BROWN
ROSALIE ANN FELIX	(PCE)...
NORMA MACHADO	(PCE)...DAVID W BROWN

GENERAL INFORMATION

**Continued from 8/6/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of person and estate was granted in 2006.
2. First accounting was approved 4/16/08.
3. Need second accounting (for period 6/1/07 to 5/31/08).

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH **MISC.**

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DATE: 11/12/08 TIME: 2:30 DEPT: E1  
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CASE #: VC VS00439

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN

**SEE ALSO 38 & 39**

HEARING:

Petition for FOR REMOVAL OF CONSERVATOR AND TO ESTABLISH  
VISITATION WITH CONSERVATEE

COUNSEL:

MARIO HOLGUIN	(CPE)...	JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...	FRANK J PRAINITO
YOLANDA WU	(PET)...	FRANK J PRAINITO
ARMIDA RODRIGUEZ HOLGUIN	(CEE)...	HARTNELL, LISTER & MOORE
E JOAN NELMS	(HARTNELL, LISTER & MOORE	)...HARTNELL,
BERNARD M BIDART	(PRO/PER	)...PRO/PER

GENERAL INFORMATION:

Continued from 9/27/07 and 11/8/07. Court refers matter to Court Investigator for report.  
Continued from 1/15/08. Second and final accounting set for 2/14/08 was continued to be  
heard with this matter (see other page this date).

Continued from 3/26/08. Court clarified that atty Joan Nelms was appointed for  
conservatee for all purposes. Court ordered that Phillip Holguin may call conservatee at  
any time. Visitation orders made.

**Continued from 5/7/08, 6/4/08 and 10/9/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Petition for Removal of Conservator and to  
Establish Visitation with Conservatee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners are Phillip Holguin and Yolanda Yu, two of six children of  
conservatee. Petitioners allege that they are only given monitored visits with  
conservatee. Petitioner, Phillip, has attempted to arrange an informal  
visitation schedule, but the conservator has denied him anything but strict

supervised visitation. Likewise, petitioner Yolanda alleges conservator will not allow her visits with conservatee unless they are monitored. Petitioners cite Pr.C. §2650 as authority for the removal of a conservator if the court determines it is in the best interest of the conservatee. Petitioners allege that it is in the conservatee's best interest to have frequent and continuing contact with all of her children. Petitioners allege that the conservator's denied of petitioners' visits are unreasonable and punitive. Finally, petitioners allege that conservatee should be placed in the least restrictive residence that is available and that meets conservatee's needs. **See above re visitation orders.**

2. Petitioner, Yolanda Yu, has filed a separate petition for successor conservatorship. See other page this date.
3. Attorney Prainito, counsel for petitioners, has failed to execute the petition. However, both petitioners have verified the petition.
4. **Response to petition filed by conservator indicating that at no time has conservatee been isolated from other family members.**
5. **Court Investigator's report filed for court review.**

RECOMMENDATION:

Court's discretion.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 2:30 DEPT: E1  
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CASE #: VC VS00439

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN

**SEE ALSO 37 & 39**

HEARING:  
Petition for Appointment of Conservator

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA RODRIGUEZ HOLGUIN	(CEE)...HARTNELL, LISTER & MOORE
E JOAN NELMS	(HARTNELL, LISTER & MOORE )...HARTNELL,
BERNARD M BIDART	(PRO/PER )...PRO/PER

GENERAL INFORMATION

**Continued from 6/4/08 and 10/14/08 for parties to seek mediation.**

THIS CASE IS SET FOR HEARING ON Petition for successor conservatorship, person and estate.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **The court does not reach this petition unless the current conservator is removed. See petition for removal in other notes this date.**
2. Petitioner requests \$22,784 bond based upon stated annual income/benefits of \$1,892. Appears income may be monthly which would make the requested bond make sense. However, as of 1/1/08, bond must be increased to include a reasonable amount for the cost of recovery to collect on the bond. For estates less than \$500,000, a 10% increase has been determined to be the reasonable amount of increase. Pr.C. 2320(c)(4), CRC Rule 7.207. Suggest \$25,000 bond.
3. Petitioner requests Pr.C. 2590 powers listed at tab in file.

4. Petitioner requests medical powers. Prior conservatorship included medical powers. Does court wish to require an updated medical capacity declaration?
5. Petitioner requests dementia powers. Does court wish to require an updated dementia capacity declaration?
6. Court Investigator's Report filed. Court may wish to review report (tabbed).
7. Need Duties form.
8. Atty Joan Nelms has been appointed for conservatee. Need report of counsel.

#### RECOMMENDATION

Need to clear notes 7-8, then court's discretion. Need report from counsel. If approved, set hearing for filing of inventory and appraisal, care plan and proof of recordation of letters, including proof of service of inventory and appraisal, instructions for objection to inventory and appraisal, order appointing Conservator and Care Plan in accord with Pr. C. §§ 1830, 2313, 2352 and 2610 for 6/24/09. Set hearing re Accounting Review for 1/20/10. Any accounting to be filed 30 days in advance.

(abs/vet/gls)



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

-----  
DATE: 11/12/08 TIME: 2:30 DEPT: E1  
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CASE #: VC VS00439

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN

**SEE ALSO 37 & 38**

HEARING:

Second Account and Report of MARIO HOLGUIN and Petition for allowance of fees filed.

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA RODRIGUEZ HOLGUIN	(CEE)...HARTNELL, LISTER & MOORE
E JOAN NELMS	(HARTNELL, LISTER & MOORE )...HARTNELL,
BERNARD M BIDART	(PRO/PER )...PRO/PER

GENERAL INFORMATION

**Matter is also set for petition for removal of conservator and visitation (next page).**

Continued from 3/26/08 for review of 3/18/08 supplement. Atty McDole to serve copy of accounting upon Atty Prainito and objections to be filed by 4/14/08.

**Continued from 5/7/08, 6/4/08 and 10/14/08 at request of counsel. Parties to seek mediation.**

THIS CASE IS SET FOR HEARING ON Second account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of person and estate was established in 2005.
2. Accounting period 6/1/05 to 5/31/07 (24 months).
3. Assets on hand \$187,228.92 (\$1,228.92 cash).
4. Petitioner waives fees and cost reimbursement.
5. Atty itemizes \$6,900 fees but agrees to accept \$3,000. JTD.

6. Petitioner requests authority to pay net \$30,552 due to caregiver (above \$35,602 already paid per prior court order). JTD. **Supp: Itemization and Verification of Receipt of Compensation filed.**
7. Need notice of hearing and proof of service for conservatee.
8. Receipts are not itemized but instead are merely presented as category totals (see Schedule A). Suggest court require schedule of itemized receipts. **Supp: Itemization of receipts and disbursements filed.**
9. **Objections to 2<sup>nd</sup> Account Current filed by court appointed counsel for conservatee.**
10. **Reply to Objections to 2<sup>nd</sup> Account Current filed by conservator.**
11. **Joinder on Objections to Second Account of Conservator filed by Phillip R. Holguin and Yolanda Wu.**

RECOMMENDATION:

Inquire re status of mediation. Alternatively, set for contested hearing.

(/vet/abs/vet/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0600078

CASE NAME: MTR OF JOSHUA HERBERT BONNER JR

HEARING:  
Accounting Review

COUNSEL:  
ELAINE BONNER-TOMPKINS (PET)...PAMELA LEGGETT COOKE  
JOSHUA HERBERT BONNER JR (DEC)...  
HELEN ESTHER BONNER (OBJ)...DAVID & TURNER

GENERAL INFORMATION:

**Continued from 6/3/08 and 9/3/08 at request of Attorney Sandra Turner as property has not sold.**

THIS CASE SET FOR HEARING ON Accounting Review and/or status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued on 11/20/07, Limited Authority \$20,000 bond.
2. No accounting and/or status report has been filed. Note: Order Confirming Sale of Real property was entered 7/10/08.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk to notice bond company.  
(cbr/abs/kra/gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0600212

CASE NAME: LORRAINE ELEANOR HANSEN

HEARING:  
Accounting Review

COUNSEL:  
STEPHEN G HANSEN (PET)...JANET M HERRING  
LORRAINE ELEANOR HANSEN (DEC)...

GENERAL INFORMATION

**Continued from 4/30/08 at request of counsel. Property not sold – counsel will file request to extend petition closing date.**

**Continued from 6/18/08 and 8/6/08 at request of counsel to file status report.**

**Nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 2/21/07, \$150,000 bond.
2. Need accounting or status report.
3. Suggest court notify bonding company.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700070

CASE NAME: GAIL MARIE LONG SPECIAL NEEDS TRUST

***VACATED- ACCOUNTING FILED AND IS SET ON 12/10/08.***

HEARING:  
Accounting Review

GAIL MARIE LONG COUNSEL:  
(PET)...MARTINA KANG RAVICZ

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700074

CASE NAME: YVONNE JEANNE COLLINS

HEARING:

FIRST AND FINAL Account and Report of OSCAR REYEZ and Petition  
for allowance of fees filed.

COUNSEL:

OSCAR REYEZ (PET)...DAVID W BROWN  
YVONNE JEANNE COLLINS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for  
Settlement of a No Asset Estate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner states the sole asset of the estate was lost to foreclosure. The real property was appraised at \$200,000 and according to the Trustee's Deed sold at trustee's sale on 12/27/07 for \$110,385.87. Petitioner alleges the balance of the mortgage was also \$110,385.87. Petitioner is the sole beneficiary of the estate. Petitioner also alleges there was one creditor of the estate, Barry W. Ferns, Esq., for a personal loan to decedent in the amount of \$7,915.01. This claim will not be paid as there are insufficient assets to pay it.

RECOMMENDATION:

Recommend for approval absent objections. Once approved, no need to set future dates.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700360

CASE NAME: WILLIS SHERMAN JACKSON

HEARING:  
Accounting Review

COUNSEL:  
NANCY BOTHWELL (PET)...GEORGE L. MARTIN  
WILLIS SHERMAN JACKSON (DEC)...  
DEPARTMENT HEALTH CARE SERVICE(TP )...PRO/PER

GENERAL INFORMATION

**Continued from 10/1/08. No appearance and nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 7/25/07, no bond.
2. Need accounting or probate status report.

RECOMMENDATION

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700418

CASE NAME: DAGOVERTO MARTINEZ CEBALLOS

HEARING:  
Accounting Review

COUNSEL:  
MARCUS CEBALLOS (PET)...DAVID M GROSSMAN  
DAGOVERTO MARTINEZ CEBALLOS (DEC)...

GENERAL INFORMATION

**Continued from 10/8/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 8/1/07, \$135,000 bond.
2. Need accounting or probate status report. Clerk noticed bond company on 10/9/08.

RECOMMENDATION

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/gls



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700446

CASE NAME: WILBUR I HAMPTON

HEARING:

PETITION FOR SETTLEMENT OF FIRST/FINAL Account and Report of  
RICHARD A HAMPTON and Petition for allowance of fees filed.

COUNSEL:

RICHARD A HAMPTON (PET)...DAVID W BROWN  
WILBUR I HAMPTON (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final  
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the only asset of the estate is real property in Lucerne Valley valued at \$3,000 as of the date of decedent's death. Decedent died on 2/17/1980.
2. Need to file Certificate of Inheritance Tax Clearance as decedent died in 1980.
3. Petitioner requests reimbursement of costs advanced of \$7,513.72. Itemized.
4. Petitioner requests statutory compensation of \$120.00. Ok.
5. Attorney requests statutory fees of \$120.00 , less credit on deposit from costs advanced of \$44.50, for a total fee due of \$75.50. Ok.
6. Petitioner requests that in lieu of payment of costs advanced of \$7,513.72 that the estate real property title be transferred to him for payment of such statutory compensation and costs advanced. Petitioner is not an heir to the estate. Decedent left three children who would share equally under the laws of intestacy. Question if decedent's three children have agreed to this transfer? Also, value of property is of 1980. The court may wish to have

petitioner get a reappraisal of the property to determine whether the property value exceeds the costs advanced. File verified supplement.

**RECOMMENDATION:**

Need to clear notes.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0700722

CASE NAME: DARREN J. KEEPERS S.N. TRUST

***VACATED- ACCOUNTING FILED AND IS SET ON 12/09/08.***

HEARING:  
Accounting Review

COUNSEL:  
DARRELL JEFF KEEPERS (PET)...SELTERS & SELTERS  
DARREN J KEEPERS (TP )...

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0701036

CASE NAME: MARIA ANNA SCHULTZE

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

LUCIEN SCHULTZE (PET)...JANET M HERRING  
MARIA ANNA SCHULTZE (DEC)...

GENERAL INFORMATION

**Continued from 8/6/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 1/23/08, no bond.
2. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

(/gls)

FUTURE HEARING DATES:

4/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0701170

CASE NAME: JOSEPH LINDSETH

HEARING:

Order to Show Cause re: BOND filed by JULIE PRECIADO.

COUNSEL:

JULIE PRECIADO (PET)...  
JOSEPHINE LINDSETH (DEC)...  
STATE OF CALIFORNIA FRANCHISE (TP )...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON OSC re filing of Bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. On 10/8/08, the court relieved Attorney Jeanne Kennedy as counsel for administrator. Court also suspended powers of Julie Preciado and ordered bond of \$273,500 to be posted. Question whether petitioner can obtain bond as she is currently suspended?
2. Court may wish to notice the Public Administrator re possible appointment as successor.

RECOMMENDATION:

Court's discretion.

(/gls)

FUTURE HEARING DATES:

4/15/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800128

CASE NAME: JOSEPH LOPEZ

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

ROBERT CONRAD LOPEZ (PET)...JANET M HERRING  
JOSEPH LOPEZ (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 4/14/08 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory is filed.

RECOMMENDATION:

Find out status.

(gls)

FUTURE HEARING DATES:

6/17/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800148

CASE NAME: MTR OF MARIA C PAZERA

***VACATED- FINAL I&A FILED.***

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
CARMEN CERTOSIMO (PET)...GABRIELLE R RANSELL  
MARIA C PAZERA (DEC)...  
DEPARTMENT OF HEALTH CARE SERV(TP )...PRO/PER

FUTURE HEARING DATES:  
6/17/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800364

CASE NAME: CHARLES SHERMAN HOLLEY

HEARING:

FIRST AND FINAL Account and Report of CURTIS HOLLEY and Petition  
for allowance of fees filed.

COUNSEL:

CURTIS HOLLEY (PET)...CAROLYN J SCHAUF.  
CHARLES SHERMAN HOLLEY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Final  
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$6,100.00. Ok. Court may wish to  
confirm that petitioner will pay fees directly as estate has no cash assets.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 11/18/09.  
(gls)

**Court can vacate the following dates if this matter is approved:**

FUTURE HEARING DATES:

12/24/08 Hearing re: Inventory and appraisal

7/29/09 Accounting Review



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800696

CASE NAME: ELIZABETH ECKEL TRUST

HEARING:

Petition for SETTLEMENT OF TRUST ACCOUNTS AND APPROVAL OF  
TRUSTEE AND ATTORNEY FEES

COUNSEL:  
JOHN DIBIASE (TEE)...SKVARNA LAW FIRM

GENERAL INFORMATION:

**Continued from 9/10/08 and 10/15/08 to clear calendar notes. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON settlement of trust accounts and approval of attorney fees and trustee fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There are 2 trusts that are accounted for in this matter. Petitioner is submitting the accounting to the court and then plans to resign as trustee in favor of Joseph Etienne, an alleged professional private fiduciary. It does not appear that the petitioner is requesting that the court approve the resignation and/or the appointment of successor trustee. If such request were made there would be a couple of problems. First, there are other named successor trustees who would have to file declinations to act. Secondly, assuming Joseph Etienne is in fact a private professional fiduciary, he is not licensed by the state under the new rules. Hence, the court could not appoint him. **Supp: Copy of a resume is attached, though petitioner is not requesting court confirmation.**
2. Under the 1991 trust the trustee's fees are specifically set forth in the amount of \$2,500 per year. Petitioner paid himself \$2,500 for the year of 2006. The problem with this is that he was not the trustee for the entire year. He was only the trustee for 7 months. It would therefore appear that his fee should have been \$1,458.33. Did court wish to require petitioner to reimburse estate \$1,041.67. Judge to decide. **Supp: The trustee did not reimburse himself \$2,500 per year and therefore**

**requests approval of the fees. It is not clear that this statement clears the issue. JTD.**

3. Under the 1988 trust there does not appear to be a specific dollar amount for payment of trustee fees. Per the disbursements it appears petitioner has only paid himself \$900. There is also \$1,595.41 in cost reimbursement that is not itemized.
4. There is a loan to the primary beneficiary in the amount of \$279,000 without explanation. File verified supplement. **Supp: A short term loan was made to beneficiary Susanne Eckel so she could purchase a home. It was made as a loan for tax purposes. JTD.**
5. It also appears that some of the investments are on margin in that there are margin interest payments totaling \$3,083.82. Did court wish further explanation? Judge to decide. **Supp: The margin payments were made as a result of the loan to the beneficiary. It is not clear that this statement clears the issue. JTD.**
6. Counsel has been paid \$4,650 from each trust without itemization. Did court wish itemization? Judge to decide. **Supp: Itemization attached**

RECOMMENDATION:

Need to clear notes and then Court's discretion.

NMT/cbr/abs/gls

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800758

CASE NAME: JOHN PHILIP SCHEDIWY

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full  
Authority under IAEA.

COUNSEL:

AMANDA GEYER (PET)...DAVID W BROWN  
JOHN PHILIP SCHEDIWY (DEC)...

GENERAL INFORMATION **continued from 9/24/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON

Petition for letters of administration with will annexed, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the sole beneficiary and waives bond. However, petitioner is a Texas resident. This court typically requires bond of nonresident representatives even upon bond waivers. Does court wish to require minimum bond (\$20,000) or full bond (\$200,000)? JTD
2. In the holographic will, decedent specifically disinherited "son" Roger Schediwy. In section 8 of this petition, Roger is listed as a grandson. Question whether this is the same person. Issue affects the accuracy of section 8 as well as notice. Need verified supplement and proof of service for "son" Roger if a different person.

RECOMMENDATION

RFA subject to note 2 and court's determination re bond. If approved, set hearing re Inventory & Appraisal for 6/24/09. Set accounting/status review for 1/20/10. Accounting to be filed 30 days prior. Note Local Rule re filing of bank/investment statements.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800886

CASE NAME: ISIDRO G. YANEZ

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

PETER YANEZ	(PET)...PRO/PER
ISIDRO G. YANEZ	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary  
with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived bond. JTD
2. Need to file proof of holographic instrument.
3. Need to submit typed version of holographic instrument dated 5/25/08.
4. Petitioner also attaches a First Codicil to Will (unsigned) together with handwritten pages marked "Information for my Last Will and Testament". The original First Codicil and handwritten pages are not submitted to the court. Need same.
5. Also, is petitioner alleging that the handwritten pages are, in fact, the First Codicil to Will? File verified supplement to clarify as well as points and authorities as to its validity as the document(s) is(are) not signed.
6. At the time of decedent's death, there was a pending dissolution (FAMVS800914). Need to list decedent's estranged spouse on Attachment 8 of the petition. File verified supplement.
7. Need to file notice of petition to administer estate and proof of service, including notice to Sandy I. Yanez (decedent's estranged spouse).
8. Need to file proof of publication.

RECOMMENDATION:  
Need to clear notes.  
(gls\*)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800890

CASE NAME: LOUIS FEGER, III

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

NATALIE C FEGER	(PET)...	STAPLETON & STAPLETON
LOUIS FEGER III	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA by daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the sole heir and waives bond. JTD
2. Need to file proof of publication.

RECOMMENDATION:

RFA subject to note 2. If approved, set hearing on the filing of an inventory and appraisal  
for 6/24/09. Set hearing on accounting review for 1/20/10. Accounting to be filed 30 days  
in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: PROPS0800906

CASE NAME: MTR OF CHARLENE SUE MCCOMAS

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

C KEVIN MCCOMAS (PET)...CLOYD E HAVENS  
CHAD MCCOMAS (PET)...CLOYD E HAVENS  
CHARLENE SUE MCCOMAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA, filed by brothers

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Residual heir has waived bond.

RECOMMENDATION:

Recommend for approval absent objections. If approved, set hearing on the filing of an  
inventory and appraisal for 6/24/09. Set hearing on accounting review for 1/20/10.  
Accounting to be filed 30 days in advance.  
(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 9:00 DEPT: E2  
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CASE #: RPRRS03012

CASE NAME: OFELIA HERNANDEZ

HEARING:  
Accounting Review

COUNSEL:  
PATRICIA LOPEZ (PET)...JAMES SEGALL GUTIERREZ  
OFELIA HERNANDEZ (DEC)...  
DEPT OF HEALTH CARE SERVICES (TP )...PRO/PER  
BERNARD M BIDART (PRO/PER )...PRO/PER

GENERAL INFORMATION

**Continued from 6-24-08, 8/5/08 and 10/8/08. On 8/5/08, counsel advised that petitioner is incarcerated. Court ordered notice to Victim's Compensation Board. There was no appearance on 10/8/08, court suspended powers of Patricia Lopez and ordered notice to the public administrator's office re possible appointment.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter is set for accounting review. No accounting/ status report has been filed.
2. Court may wish to inquire whether petitioner is able to fulfill her duties as personal representative or whether a successor personal representative should be appointed.
3. Need to determine whether the Public Administrator is willing to step in as successor. JTD

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050. There is no bonding company to notice.  
NMT/gls



CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

**CONSERVATORSHIP**

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DATE: 11/12/08 TIME: 10:30 DEPT: E2  
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CASE #: CONPS0700144

CASE NAME: JUANA LUCIA BLANCO (AKA FUNES)

HEARING:

Hearing Re: STATUS REVIEW

COUNSEL:

PATRICIA V CONCHA (CP)...PRO/PER  
JUANA LUCIA BLANCO (CEE)...C.L. FARRELL

GENERAL INFORMATION:

On 3/5/08, the court approved the care plan of petitioner and set the hearing for a status review

THIS CASE IS SET FOR HEARING ON Status Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. None.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 10:30 DEPT: E2  
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CASE #: SC SS02546

CASE NAME: MTR OF RAYMOND ESPINOZA

HEARING:

FIRST AND FINAL Account and Report of DEANA MULLICAN and Petition for allowance of fees filed.

COUNSEL:

DEANA MULLICAN	(CPE)...	BRYAN C. HARTNELL
RAYMOND ESPINOZA	(CEP)...	JAMES B CHURCH
PUBLIC GUARDIAN	(TC )...	
DEANA MULLICAN	(PET)...	BRYAN C. HARTNELL
RAYMOND ESPINOZA	(DEC)...	

(ACCOUNTING IS NOT BY THE PUBLIC GUARDIAN)

GENERAL INFORMATION

Continued from 09/29/08 to be heard at time of court trial. Deana Mullican ordered to return on 10/08/08.

Continued from 10-8-08. Court orders \$4,000 paid to the Public Guardian for a burial trust and \$3,420 was to be paid to Panorama Gardens forthwith. Court then gave a tentative ruling on fees. Court found insufficient notice to VA. Court continued matter and ordered all parties to appear on 10-27-08. Only new thing filed is a notice of hearing and proof of service. VA has now been noticed.

**Continued from 10/27/08 for proper notice. Counsel ordered to mail notice of hearing on 10/27/08. Court informed that checks for \$4,000 and \$3,420 were issued as payment of burial trust and Panorama Gardens.**

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner is the prior conservator. Petitioner's powers were suspended 4/23/07 and petitioner was removed on 7/23/07. The accounting ends at the date

- suspension. Does court wish to require an accounting through to the removal date of conservator? JTD
2. Accounting period covers 12/4/03 – 4/23/07 (3 yr. 4 months).
  3. Assets on hand \$16,150.70 consisting of cash.
  4. Disbursements regarding conservatee's residence shows a payment of \$1,000 on 12-03/05-05 for "trips to the house, to see Raymond, pay bills, shopping, etc." Need detailed itemization of the breakdown of the disbursement. Need verified supplement.
  5. Disbursements regarding conservatee's residence shows two payments totaling 2,400.00 on 12-03/05-05 for securing and watching the house. Question to whom payments were made and itemization of expenses paid. Need verified supplement.
  6. Disbursements regarding Other expenses shows 14 payments totaling \$12,446.83 paid to Conservator. Need itemization of purpose of payments made. Need verified supplement.
  7. Petitioner requests compensation of \$7,500.00 for services rendered during this accounting period. JTD
  8. Attorney requests fees of \$50,842.50 for legal services throughout this accounting period. Attorneys rendered services with regard to establishing the conservatorship which was opposed by the conservatee and decided by jury to be necessary, preserving of conservatee's real property, settled with creditors, and responded to all concerns when the conservator's health impeded her ability to serve as conservator. Itemized billing is based on a rate for attorneys at \$225-\$325/hour and paralegals at \$50-\$125/hour for a total of 227.4 hours. As the conservatorship does not contain the assets necessary to support these fees, question how attorney proposes payment.
  9. **Objections filed. Matter is contested.**
  10. **Response to objections filed by Deana Mullican.**

RECOMMENDATION:

Need to clear notes. Court may wish to set contested hearing.  
(kra/cbr/NMT/cbr)

FUTURE HEARING DATES:

12/01/08 first Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 10:30 DEPT: E2  
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CASE #: VC VS00294

CASE NAME: MTR OF MARIA A. SCHULTZE aka MARIA ANNA SCHULTZE

HEARING:  
Hearing re Final Discharge

COUNSEL:  
DIANE D HARKISON (PET)...M DANIEL SAYLOR  
MARIA A SCHULTZE (PCE)...  
LUCIEN V SCHULTZE (PET)...PRO/PER

GENERAL INFORMATION:  
Order for Termination of Conservatorship granted 11/7/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file receipt and submit final discharge.

RECOMMENDATION:  
Find out status.  
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 10:30 DEPT: E2  
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CASE #: VC VS00346  
CASE NAME: MTR OF DELSIE LORENE WILSON

HEARING:

Petition for APPT OF SUCCESSOR CONSERVATOR OF ESTATE 07/16/08

COUNSEL:

LINDA JOY BRISCOE (CP)...PRO/PER  
DELSIE LORENE WILSON (CTP)...ROBERTA L TAYLOR  
JULIE PINNELL (SC)...JANIS L HILK E

GENERAL INFORMATION:

Letters of Successor Conservatorship of the Person issued 5/19/08.

Continued from 5/14/08 for the filing of a petition for the successor conservator of the estate.

**Continued from 7/16/08, 9/3/08 and 10/8/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON petition for Successor conservator to add estate powers, by grand-daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner requests bond be waived for reasons set forth in Attachment 1c. However, no attachment 1c is affixed. Also, prior conservator had not yet prepared an inventory and assets are unknown at this time. Court may wish to order petitioner to advise the court within 72 hours of assets and require bond at that time. Alternatively, court could require minimum bond of \$20,000. JTD
2. Need to file Duties of Conservator.
4. Court Investigator report filed.

RECOMMENDATION:

Need to clear notes then Court's discretion. If approved, set hearing on accounting review for 1/20/09. Accounting to be filed 30 days in advance.

(kra/gls/kra/gls/cbr/gls)

FUTURE HEARING DATES:

12/17/08 Conservatorship Compliance Review Hearing on PETITION FOR CONSERVATORSHIP of DELSIE LORENE WILSON

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 10:30 DEPT: E2  
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CASE #: VC VS00430

CASE NAME: MTR OF DOROTHY M HICKEY

HEARING:  
Accounting Review

COUNSEL:

CONSTANCE BLACK	(PET)...	JANET M HERRING
DOROTHY M HICKEY	(PCE)...	
NANCY PETERSEN	(PCR)...	JANET M HERRING

GENERAL INFORMATION

**Continued from 5/1/08 and 8/6/08 to file accounting for 12/19/06 to 12/18/07. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON  
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Second accounting approved 2/27/08.
2. Need next accounting for period 12/19/06 to 12/18/07.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bond company.

Abs/gls

Superior Court of Calif, County of San Bernardino

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Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/12/08

TIME: 10:30

DEPT: E2  
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CASE #: VC VS00434

CASE NAME: MTR OF ROBERTA CLAIRE KING

***See Matter 24A***

HEARING:

Hearing Re: ACCOUNTING REVIEW RE: FINAL ACCOUNTING

COUNSEL:

NANCY ANN HUFF

(PET)...PRO/PER

ROBERT CLAIRE KING

(PCE)...

GENERAL INFORMATION

**Continued from 7/1/08 and 8/13/08. Court orders Ms. Reuter to prepare an accounting with the assistance of Atty Brown. Court also orders Nancy Huff to make a personal appearance at this hearing.**

THIS CASE SET FOR HEARING ON Petition for Order to Produce Documents.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner states that Attorney David Brown was removed from this case and is no longer her attorney. Petitioner alleges that she has requested in writing, to Attorney David Brown, that the documents re Roberta King be turned over to her. To this date petitioner alleges that Mr. Brown has not cooperated and therefore requests the court to order Mr. Brown to produce the documents re Roberta King.
2. Additionally, petitioner requests the return of a check from Valley Crest written to Roberta King in the amount of \$1,863.33. Petitioner alleges that the check was not able to be cashed in Roberta's name and Mr. Brown was to fix the problem and forward the check to petitioner as Conservator and beneficiary. Mr. Brown allegedly never produced the check and petitioner claims that Mr. Brown stated that he would not do so until the Court ordered him to do so.
3. Court deemed this declaration to be a petition for an order to produce documents, per minute order of 5-27-08. It is assumed that the court meant that this declaration should be deemed a Motion to Compel Production of Document. Whatever the intended title still need notice of hearing and proof of service on Mr. Brown.

RECOMMENDATION

Need notice then Court's discretion.

Cbr/abs/gls

Superior Court of Calif, County of San Bernardino

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Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 11/12/08

TIME: 10:30

DEPT: E2  
-----

CASE #: VC VS00434

CASE NAME: MTR OF ROBERTA CLAIRE KING

***See Matter 24***

HEARING:

Hearing Re: Full and Final Accounting and Petition for Fees

COUNSEL:

NANCY ANN HUFF

(PET)...PRO/PER

ROBERT CLAIRE KING

(PCE)...

GENERAL INFORMATION

Conservatee died on 04/11/06.

Accounting period covers 12/11/03 – 04/29/06.

Assets on hand \$9,871.58.

Court ordered Ms. Reuter to prepare an accounting with the assistance of Attorney Brown.

THIS CASE SET FOR HEARING ON Full and Final Accounting and Petition for Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Ms. Reuter, petitioner herein, alleges that attorney Brown, prior attorney for Nancy Huff, was aware that she remained attorney in fact during the Conservatorship. Also, Ms. Reuter remained in contact with Ms. Huff and paid the bills for Conservatee. Question whether at any time during this accounting period the conservator, Nancy Huff, marshaled any assets for which are not accounted for in this accounting? File verified supplement.
2. Accounting presented by Cynthia Reuter, attorney in fact for Roberta King. Summary of account shows a beginning balance of cash in the amount of \$1,490.05. Final inventory indicates real property only of \$170,000. The initial petition shows personal property with an estimated value of \$14,424. Petitioner accounts for the sale of the real property during the accounting period. The summary of account balances; however, the beginning balance cannot be verified as being accurate. Does court wish to require a supplemental Inventory to include the cash assets and other personal property assets totaling \$14,424 and a new summary of account prepared? JTD
3. Need notice of hearing and proof of service.



4. Ms. Reuter alleges on 05/12/06 Nancy Huff went into an Arizona branch of Downey Savings and emptied both accounts for a total of \$9,872.74. Ms. Reuter received the bank statements indicating the accounts had been closed and in return called Ms. Huff. Ms. Huff stated "The bank said I was the beneficiary and it was my money to take, so I did and I have already spent it." Ms. Reuter alleges she informed Ms. Huff to notify attorney Brown. Ms. Reuter also alleges she informed attorney Brown of the withdrawals.
5. Petitioner requests fees of \$480; generally itemized. From disbursements petitioner paid to herself a service of approximately \$30 a month totaling \$860. It would appear that if approved petitioner will receive fees totaling \$1340. JTD
6. Petitioner request Nancy Huff, Conservator, to reimburse Ms. Reuter for Court fees related to the accounting. Question what amount petitioner is seeking reimbursement? It appears from the Register of Actions that petitioner paid \$180 filing fee for this accounting. Need itemization.
7. Receipts schedule A indicates a profit from the sale of the Conservatee's residence. Need escrow statement per Pr. C. § 2620(c)(4).

#### RECOMMENDATION

Need to clear notes.

(cbr)

8. Superior Court of Calif, County of San Bernardino  
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CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

**MISC.**

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DATE: 11/12/08 TIME: 1:30 DEPT: E2  
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CASE #: CONPS0800084

CASE NAME: ESCOLASTICA GUEVARA

HEARING:

Court Trial -- Estimated trial length 0:00 hrs.

COUNSEL:

BELEN A GUEVARA (CPE)...JAMES L MIGLER  
ESCOLASTICA GUEVARA (CEP)...SHERRI L KASTILAHN  
JANEEN BLASING (OBJ)...CRATON & SWITZER LLP

No Notes- Court Trial.

**FILE IS ALREADY IN THE COURTROOM.**

CIVCAL4 Superior Court - Redlands - Probate  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

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DATE: 11/12/08 TIME: 1:30 DEPT: E2  
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CASE #: PROPS0700234

CASE NAME: ROSEMARY T. BINNEY

***VACATED.***

HEARING:  
Court Trial set for PETITION FOR PROBATE of THEODORE C BINNEY

COUNSEL:  
THEODORE C BINNEY JR (PET)...HORSPOOL & PARKER  
ROSEMARY T BINNEY (DEC)...  
GRADY JAMES BINNEY (PET)...WARD & WARD  
AUCTION-CA FINANCIAL SERVICES (TP )...